

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHARRON HIGGS,

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Plaintiff,

)

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vs.

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Case No. 4:04CV1479 RWS

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EMC MORTGAGE CORP. et al.,

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)

Defendants.

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MEMORANDUM AND ORDER

This matter is before me on defendant's motion requesting the Court to designate a neutral to conduct the mediation of this case because the parties cannot agree on a neutral. My review of the motion convinces me that referring this case to alternative dispute resolution at this time would be fruitless. Accordingly, I will vacate the Order referring this case to alternative dispute resolution and deny defendant's motion as moot.

Accordingly,

IT IS HEREBY ORDERED that Order dated August 9, 2005 referring this case to alternative dispute resolution [#38] is vacated, and the referral of this matter to alternative dispute resolution is vacated.

IT IS FURTHER ORDERED that defendant's motion requesting the Court to designate a neutral [#41] is denied as moot.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 31st day of August, 2005.